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BY ECF

Hon. Denise L. Cote
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for the Southern District of New York
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In re Teladoc Health, Inc. Securities Litigation, No. 1:22-cv-4687 (S.D.N.Y.)

Dear Judge Cote:

On behalf of all defendants named in the above-referenced action (“Defendants”), we write, pursuant to Your Honor’s Individual Rules to request a two-week extension of the deadline for Defendants to file a motion to dismiss the amended class action complaint, from October 21, 2022 to November 3, 2022.

On September 30, 2022, pursuant to the Court’s August 23, 2022 Case Management Order (ECF No. 40), Plaintiff filed a 168-page amended class action complaint. ECF No. 52. This amended complaint, among other changes, (i) expands the putative class period by 11 months as compared to the original complaint, (ii) adds a

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substantial number of alleged misstatements not previously contained in the original complaint, as well as new theories as to why Defendants' statements are allegedly false, and (iii) adds a new individual defendant, Stephany Verstraete, who was not previously named in the original complaint. Defendants request that the Court allow the extension, from October 21 to November 3, to enable them sufficient time to review and respond to the lengthy amended complaint, including the new allegations, new alleged misstatements, and longer time period, and to coordinate a response among the various defendants.

Plaintiff's counsel advises that plaintiff consents to Defendants' request but seeks a reciprocal extension to allow plaintiff until December 6, 2022 to file an amended complaint or to file an opposition. Defendants have no objection to that request. Defendants request that their reply, if any, would then be due on December 22, 2022.

This is the first request by any party to extend the deadlines for responding to Plaintiff's amended complaint.¹

* * * * *

The parties appreciate the Court's consideration of this request.

Very truly yours,

/s/ Audra J. Soloway

Audra J. Soloway

cc: Counsel of Record (by ECF)

¹ Prior to the briefing concerning, and appointment of, lead plaintiff and lead plaintiff's counsel, and prior to the assignment of this case to Your Honor, the parties agreed to a schedule for the filing of an amended complaint and subsequent motion to dismiss briefing, which was approved by then-presiding Judge Broderick. ECF No. 13. However, that schedule was superseded by Your Honor's August 23, 2022 Case Management Order after the appointment of lead plaintiff and lead plaintiff's counsel. ECF No. 40. Under the current schedule, Defendants' motion to dismiss is due on October 21, 2022, Plaintiff's second amended complaint or opposition to the motion to dismiss is due on November 11, 2022, and Defendants' reply to any opposition is due on November 25, 2020. ECF No. 40.